

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 2299 – SB 2248

May 5, 2009

SUMMARY OF AMENDMENT (007845): Requires the state to indemnify and hold harmless persons who injure any other person or property when the person is acting voluntarily and pursuant to a written request for assistance during an impending, mock, or practice emergency on behalf of the federal, state, or a local government, unless the injury of damage was caused by gross negligence, willful or wanton misconduct

FISCAL IMPACT OF ORIGINAL BILL:

MINIMAL

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Increase State Expenditures – Exceeds \$25,000

Other Fiscal Impact – Depending on the number of claims filed and the seriousness of the damage or injury involved, the increase in state expenditures could be significantly higher.

Assumptions applied to amendment:

- No limitation on the state's potential liability.
- Given the large number of persons who voluntarily participate in governmental emergency drills and actual responses, it is reasonable to assume that some injuries and damage will occur for which the state will provide indemnification. Depending on the nature of the injury or damage, state expenditures are estimated to increase at least \$25,000 as a result of this indemnification. State expenditures could potentially be significantly greater if death, serious injury, or major property damage occurs.

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CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible, and "W." in the middle.

James W. White, Executive Director

/kmc